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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RAYMOND LAMAR BROWN, JOHN
CLARK, DESMOND RODGERS, TODD
FORD, JR. AND CARLOS SOLER,
individually and on behalf of others similarly
situated

Plaintiffs

v.

EUGENE CALDWELL, et a

Defendants.

Civil Action

20-cv-7907-NLH-AMD

Filed Electronically

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT AGREEMENT INCLUDING SETTLEMENT OF COLLATERAL
PROCEEDINGS**

PLEASE TAKE NOTICE that on January 16, 2024, or on such sooner date and time as may be set by the Court, Plaintiffs, Raymond Lamar Brown, John Clark, Desmond Rodgers, Carlos Soler and Todd Ford, Jr. (collectively “Settlement Class Representatives” or “Plaintiffs”) by and through counsel, Fox Rothschild LLP, will move before the Hon. Noel L. Hillman, for preliminary

approval of the class action Settlement Agreement including Settlement of Collateral Proceedings they have reached with Defendants, Cumberland County, by and through counsel Lite DePalma Greenberg & Afanador, Eugene Caldwell, and Charles Warren, by and through counsel Madden & Madden, Loren Joynes, by and through counsel Testa Heck Scrocca & Testa, PA, Shane Zanes, by and through counsel The Garty Law Firm, LLC, and Robert Ortiz, by and through counsel Blaney, Donohue, Karavan & Weinberg, PC (collectively “Defendants”). For the reasons set forth in the accompanying Brief in support, and Defendants having agreed to, and the executed Settlement Agreement attached to the supporting Declaration of Karen A. Confoy, Plaintiffs hereby move the Court to, for settlement purposes only:

1. Certify the Settlement Class pursuant to Fed. R. Civ. P. 23(b)(3);
2. Order preliminary approval of the Class Action Settlement Agreement as a fair, reasonable, and adequate settlement within the meaning of Federal Rule of Civil Procedure 23(e) and applicable law;
3. Approve the Notice Plan, and order notice of the Settlement to Class Members;
4. Appoint Fox Rothschild LLP as Settlement Class Counsel;
5. Set the date and time of the Final Fairness Hearing for final approval of the Settlement Agreement;
6. Stay all proceedings in the Subject Lawsuit, including but not limited to the pending applications for Orders to Show Cause, and related to the Subpoena served on Gregg Zeff, Esq. and discovery of privileged communications regarding Johanan (Keith) Evans, and the pending application of Contempt, until the Court renders a final decision on approval of the Settlement;
7. Grant such other relief as the Court deems necessary and appropriate.

PLEASE TAKE FURTHER NOTICE that Plaintiffs shall rely upon the Brief, Declaration of Karen A. Confoy and Settlement Agreement with exhibits filed in support of this Motion.

PLEASE TAKE FURTHER NOTICE that a proposed form of order is filed herewith.

Dated: December 22, 2023

/s/ Karen A. Confoy
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